

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

## **ORDER OF SUBSTITUTION**

On April 8, 2021, Brenda White sued Dr. Peter Kim and Southeast Health Center in Indiana state court alleging tortious conduct related to medical care she received from Dr. Kim. See dkt. 1-2 at 7.

During the relevant period, Dr. Kim was an employee of the Public Health Service and Southeast Health Center was an "entit[y] deemed" to be a Public Health Service employee, so Defendants removed the case to this Court on June 21, 2021. *See* dkt. 1 at 1-2; 42 U.S.C. § 233(a), (g); 28 U.S.C. § 2679(d)(2). On June 24, 2021, Defendants filed a Notice of Substitution and a Certification of Scope of Employment substituting the United States of America for Defendants under 28 U.S.C. § 2679(d)(2). *See* dkt. 7; dkt. 7-1.

Because the United States Attorney General has certified that Defendants were employees of the Public Health Service "acting within the scope of [their] employment at the time of the incident out of which the claim

arose," Ms. White's claims "shall be deemed to be an action or proceeding brought against the United States . . . , and the United States shall be substituted as the party defendant." *See* 28 U.S.C. § 2679(d)(2); dkt. 7-1. The United States of America is hereby **SUBSTITUTED** for Defendants Peter Kim and Southeast Health Center. The Clerk shall update the docket accordingly.

**SO ORDERED.**

Date: 7/7/2021

James Patrick Hanlon

James Patrick Hanlon  
United States District Judge  
Southern District of Indiana

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